

# The US Nuclear Posture Review and the NATO allies

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The most recent US Nuclear Posture Review, completed in December 2001, has received little sustained attention in NATO countries outside expert circles in governments, research institutes and non-governmental organizations. Popular and, to some extent, governmental and expert impressions of the NPR remain marked by the critical news coverage in early 2002. Views on the NPR are influenced by aspects of US policy that have rightly or wrongly become closely associated with it, including President George W. Bush's description of Iran, Iraq and North Korea as an 'axis of evil' in January 2002; the administration's elevation of the option of pre-emptive military action to the status of a doctrine; and the administration's comparatively explicit language concerning the possibility of nuclear retaliation for the use of chemical or biological weapons.<sup>1</sup>

Given that all decision-making in NATO is based on consensus-building, it is impossible to discuss NPR implementation and the alliance without considering allied views on associated issues, even if these issues are not strictly elements of the NPR. To the maximum extent possible, however, this article concentrates on the NPR itself and its practical implications for NATO allies and US relations with allies. It discusses the brief reference to NATO that reportedly appears in the NPR before turning to allied views on the NPR's main implications.

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<sup>1</sup> This article is based on interviews with allied observers as well as press coverage. The US State Department's Office of Media Reaction published two useful reports about international press coverage of the NPR: 'US nuclear policy: "sleight of hand" doesn't escape foreign notice' on 18 January 2002, and 'US nuclear policy: is Washington "rethinking the unthinkable"?' on 15 March 2002.

## NATO in the NPR

The nuclear capabilities considered in the NPR were strategic forces—that is, US intercontinental forces such as bombers, ICBMs and SLBMs. The NPR deferred attention to the nuclear gravity bombs and dual-capable aircraft remaining in Europe after the United States completed extensive reductions in its nuclear presence in the early 1990s.<sup>2</sup> However, the NPR reportedly included the following paragraph:

*Dual-capable aircraft and nuclear weapons in support of NATO.* DoD will not seek any change to the current posture in FY02 but will review both issues to assess whether any modifications to the current posture are appropriate to adapt to the changing threat environment. A plan is already underway to conduct a NATO review of US and allied dual capable aircraft in Europe and to present recommendations to Ministers in [the] summer of 2002. Dual capable aircraft and deployed weapons are important to the continued viability of NATO's nuclear deterrent strategy and any changes need to be discussed within the alliance.<sup>3</sup>

NATO evidently completed a review of dual-capable aircraft, because in June 2003 the Nuclear Planning Group (that is, the defence ministers of all the allies except France) 'noted with satisfaction that, based on our guidance issued in June last year, NATO's dual-capable aircraft posture has been further adapted and readiness requirements for these aircraft have been further relaxed'.<sup>4</sup> In December 2000 the allies had noted that, 'At the height of the Cold War, quick-reaction alert capable of launching within minutes was maintained for a portion of these aircraft, whereas nuclear readiness is now measured in weeks and months. There are no longer any NATO sub-strategic nuclear forces in Europe on alert.'<sup>5</sup> The allies have evidently expanded the proportion of dual-capable aircraft at lower levels of readiness. However, the relaxation of readiness requirements for dual-capable aircraft has provoked little discussion or controversy in NATO.

Allied observers have assessed the NPR's broader significance from various perspectives. Bruno Tertrais, a prominent French expert, has suggested in an astute analysis that the NPR represents three noteworthy aspirations: ending 'Russo-centrism' in US nuclear planning, with important implications for force sizing; endorsing a new and comprehensive concept of deterrence, in

<sup>2</sup> For background, see David S. Yost, *The US and nuclear deterrence in Europe*, Adelphi Paper no. 326 (London: Oxford University Press/International Institute for Strategic Studies, March 1999).

<sup>3</sup> *Nuclear Posture Review* (Excerpts), submitted to Congress on 31 Dec. 2001, p. 44, available at <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm>. The authenticity of these excerpts has not been confirmed by the US government, but they have probably been more widely cited than the official public expositions of the NPR's content by officials of the Department of Defense and the Department of Energy.

<sup>4</sup> Final communiqué, ministerial meeting of the Defence Planning Committee and the Nuclear Planning Group, 12 June 2003, para. 14.

<sup>5</sup> 'Report on options for confidence and security building measures (CSBMs), verification, non-proliferation, arms control and disarmament', press communiqué M-NAC-2 (2000) 121, Brussels, 14 Dec. 2000, para. 77.

which nuclear forces are supplemented with missile defences and high-technology conventional means; and stopping the decline of the US nuclear infrastructure.<sup>6</sup>

Some journalistic accounts in the United States and other NATO countries have, however, overstated the novelty of the NPR's conclusions. In a scholarly assessment, Kurt Guthe has carefully documented how certain features of the NPR represent continuity in US policy. For example, the Bush administration has maintained policies established by its predecessors in refusing to rule out nuclear options to deter or retaliate against chemical or biological attacks, in retaining non-deployed nuclear weapons as a hedge against unforeseeable technical and strategic setbacks, and in considering nuclear contingencies involving countries other than Russia.<sup>7</sup> Moreover, Guthe has noted, the NPR's emphasis on improving non-nuclear and defensive capabilities that might substitute for nuclear forces is consistent with a longstanding pattern in US strategic policy—a 'continuing search for more, and more refined, options'.<sup>8</sup>

The NPR nonetheless also involves significant discontinuities, some of which have been disquieting to allies. The discontinuities include highlighting goals in addition to deterrence, notably dissuading military competition and defeating adversaries; elevating the nuclear weapons complex and its supporting defence-industrial infrastructure to the same level as offensive and defensive capabilities, at least in the conceptual terms of the 'New Triad' that is to replace the 'old triad' of bombers, intercontinental ballistic missiles, and submarine-launched ballistic missiles; integrating offensive and defensive capabilities, C4ISR,<sup>9</sup> and infrastructure in defence planning, with a view to reducing reliance on nuclear forces; and pursuing a capability to regenerate forces, should this be necessary, more elaborately defined than the 'hedge' against uncertainty called for in the 1994 NPR. Indeed, because the NPR involves far more than nuclear forces, some observers contend that it should have been called a 'strategic posture review'.

Allied experts recognize that the NPR affects America's strategic posture in at least three significant ways:

- reducing operationally deployed US strategic nuclear warheads by almost two-thirds over the decade ending in 2012;
- emphasizing the development and/or improvement of capabilities other than nuclear forces, including missile defences, non-nuclear strike forces, C4ISR and a responsive infrastructure, and integrating these capabilities, together with nuclear forces, in a 'New Triad'; and

<sup>6</sup> Bruno Tertrais, 'Polémique déplacée autour de la Nuclear Posture Review', *TTU Europe*, no. 400, 14 March 2002, p. 6.

<sup>7</sup> Kurt Guthe, *The Nuclear Posture Review: how is the 'new triad' new?* (Washington DC: Center for Strategic and Budgetary Assessments, 2002), pp. 13, 21–2, 26.

<sup>8</sup> *Ibid.*, p. 20.

<sup>9</sup> C4ISR stands for command, control, communications, computers, intelligence, surveillance and reconnaissance.

- placing US nuclear and other capabilities within the conceptual framework of the 2001 Quadrennial Defence Review, and thereby associating them with new concepts such as ‘dissuasion’ and ‘capabilities-based’ planning.

The implications for the NATO allies of each of these three developments deserve consideration.

### **Reducing operationally deployed US strategic nuclear warheads**

The main provisions of the NPR include, in rather general terms, methods to carry out President George W. Bush’s November 2001 decision to reduce operationally deployed US strategic nuclear warheads ‘over the next decade’.<sup>10</sup> In February 2002 General John Gordon of the National Nuclear Security Administration described the projected warhead reductions and platforms to be retained as follows: ‘The NPR stated a goal to reduce the operationally-deployed strategic stockpile to 3800 nuclear warheads by 2007 and 1700–2200 nuclear warheads by 2012. The force would be based on 14 Trident SSBNs (with 2 SSBNs in overhaul at any time), 500 Minuteman III ICBMs, 76 B-52H bombers, and 21 B-2 bombers.’<sup>11</sup>

Allied observers have to date expressed little concern about the implications of these reductions for extended deterrence, but in some circumstances this could change. The reductions foreseen in the NPR furnished the basis for the May 2002 Moscow Treaty. Allied observers have generally welcomed the treaty as a political substitute for the ABM Treaty and START negotiations, but have found it disappointing as an arms control or disarmament measure. Some allied observers have expressed concern that the Moscow Treaty may reflect excessive confidence in Russia’s future reliability as a partner in international security. Moreover, some regret that the United States has concluded that it is not practical to go beyond the Moscow Treaty to pursue negotiated arms control regarding Russian non-strategic nuclear forces, despite the fact that many of these weapons could be applied to ‘strategic’ purposes.

### *Implications for extended deterrence*

Perhaps partly because of improved relations with Russia, allied observers have expressed no noteworthy concerns about the effects of the NPR-mandated reductions in operationally deployed US strategic nuclear warheads on extended deterrence. This is consistent with a longstanding pattern in which most allies

<sup>10</sup> At a news conference in Crawford, Texas, on 13 November 2001, President Bush said, ‘I have informed President Putin that the United States will reduce our operationally deployed strategic nuclear warheads to a level between 1,700 and 2,200 over the next decade, a level fully consistent with American security.’ Available at [www.whitehouse.gov/news/releases/2001/11/print/20011113-3.html](http://www.whitehouse.gov/news/releases/2001/11/print/20011113-3.html).

<sup>11</sup> John A. Gordon, Under Secretary for Nuclear Security and Administrator of the National Nuclear Security Administration, Department of Energy, ‘Prepared statement for the hearing on the Nuclear Posture Review’, Senate Armed Services Committee, 14 Feb. 2002, pp. 7–8.

have deemed strategic nuclear matters a US responsibility and have deferred to US judgement about the appropriate structure and level of US strategic nuclear forces.

Exceptions to this pattern have, however, arisen historically; and in some circumstances more such exceptions could occur. Ever since the Soviet Union launched Sputnik in 1957 and developed the world's first ICBMs, the alliance has been subject to periodic crises of confidence—in essence, European doubts about America's will to defend its allies, given the risk of prompt inter-continental nuclear retaliation from Russia. These doubts have been aggravated whenever Americans have expressed anxieties about US strategic capabilities—as during the 'bomber gap' and 'missile gap' controversies in the late 1950s and early 1960s, and the debates about SALT II, ICBM vulnerability and 'grey area' systems such as the Backfire bomber in the late 1970s and early 1980s.

Any Europeans inclined to be worried about the credibility of US extended deterrence in view of the constraints on US strategic nuclear forces imposed by arms control or budgetary limits would probably be influenced by interactions with US experts, policy activists and politicians—as was the case in the late 1970s and early 1980s, the last time US policy regarding strategic nuclear forces became a significant topic in transatlantic security discussions. If a debate emerged in the United States about the adequacy of the US strategic force posture in the context of national security (without necessarily considering extended deterrence for allied security), allied experts and officials would probably ask questions about the implications for NATO, Japan and other beneficiaries of US nuclear guarantees. In this event, the perceived political commitment of the United States—including its manifest intentions, and its apparent confidence in the adequacy of its strategic nuclear posture—would probably matter more in reassuring allies than the size of the force and its specific characteristics.

Short of a grave crisis in which the resolve and operational capabilities of the United States were tested, however, the US strategic nuclear force posture is significant for extended deterrence in Europe mainly on a political level. Moreover, many allied observers have long regarded the numbers of US strategic nuclear warheads as disproportionate to the requirements of the post-Cold War world, in which the most immediate threats are terrorists and regional powers armed with weapons of mass destruction (WMD), and in which Russia (it is hoped) may increasingly become a reliable partner of the alliance. It is widely believed that, even after the reductions envisaged in the NPR, the remaining US nuclear forces would be more than sufficient to fulfil their strategic and political purposes.

By the same token, the various unknowns associated with the NPR implementation process have evoked little concern in the alliance. These unknowns include how the US government will conduct the periodic reviews envisaged in the NPR, and how it could surmount the political obstacles to slowing down, stopping or reversing the reductions process, should that become advisable at some point.

### *Critical assessments of the Moscow Treaty*

Until March 2002, when the United States agreed to conclude a 'legally binding' agreement with Russia regarding levels of strategic nuclear forces, US officials argued that the NPR would be accompanied by a shift from nuclear arms control accords with Moscow in the form of negotiated treaties to less formal and more flexible measures. Cold War nuclear arms control treaties (above all, the SALT, START and INF agreements) provided for the United States to maintain approximate parity with the forces maintained by Moscow.

The Moscow Treaty, the May 2002 agreement between Russia and the United States on strategic nuclear arms control, is in fact much less elaborate than the previous bilateral nuclear arms control treaties; it is therefore in keeping with the NPR's call to move beyond the intricate, lengthy and inflexible accords of the Cold War. The Moscow Treaty can also be seen as consistent with the NPR in restating the US level of operationally deployed strategic nuclear warheads for 2012 envisaged by the NPR. This force level was defined as a product of America's global strategic requirements rather than requirements for targeting Russia. However, a certain link to Russian strategic nuclear force levels remains, not only because of the Moscow Treaty terms, but also because of the NPR's 'second to none' principle. That is, to satisfy the US defence policy goal of assuring the country's allies about the reliability and credibility of US security commitments, the United States must maintain operationally deployed strategic nuclear capabilities that are 'second to none'.

Allied observers have praised the Moscow Treaty as a political substitute for the ABM Treaty and a means of avoiding a US–Russian confrontation undercutting the whole structure of treaty-based arms control. Some allied observers consider the fact that the Moscow Treaty was signed in May 2002, before the US withdrawal from the ABM Treaty took effect the following month, positive and significant. In their view, it reflected an acceptance on the part of the United States that arms control negotiations and treaties remain an essential element in US–Russian relations.

However, despite general political relief in allied circles that the US–Russian agreement was articulated in the form of a treaty, some dissatisfaction with the Moscow Treaty persists. Allied critics attribute what they consider the treaty's deficiencies to the Bush administration's original interest in pursuing non-treaty-based arms control, which seems to them to have been translated into a treaty generating few obligations or constraints. According to the critics, the Moscow Treaty's deficiencies include the following points:

- the relatively short (three months' notice) withdrawal clause diminishes the predictability that, in their view, arms control treaties should provide;<sup>12</sup>

<sup>12</sup> Some arms control treaties have stipulated a year's notice for withdrawal (e.g. the 1967 Outer Space Treaty) or six months' notice (e.g. the ABM Treaty, SALT I and II, the INF Treaty, and START I and II). Some treaties have, however, also included a three-months'-notice withdrawal clause—for instance, the 1963 Partial Test Ban Treaty, the 1968 Non-Proliferation Treaty and the 1972 Biological and Toxin Weapons Convention.

- the treaty's verification mechanisms, including how START I procedures will be used and what counting rules will apply, are vague, and in fact constitute a US failure to seek greater transparency regarding Russia's nuclear arsenal and infrastructure, including production and dismantlement facilities;
- the treaty, like the Moscow–Washington nuclear arms control treaties during the Cold War, fails to provide for the destruction of warheads withdrawn from operational deployment, and tacitly permits their storage for possible redeployment;<sup>13</sup>
- the treaty fails to ban intercontinental ballistic missiles (ICBMs) equipped with multiple independently-targeted re-entry vehicles (MIRVs), enabling Moscow to retain its SS-18s and MIRV the Topol M and generally providing it with more options at lower costs than it would have had under START II;
- because the Moscow Treaty permits MIRVed ICBMs, it encourages Russia to maintain strategic nuclear parity and a mutual assured destruction (MAD) relationship with the United States at an affordable price, despite the Bush administration's declared policy of going beyond MAD in US–Russian strategic relations;<sup>14</sup> and

<sup>13</sup> The Assembly of the Western European Union on 4 June 2002 approved a resolution (no. 709) welcoming the Moscow Treaty, but 'regretting that the agreement does not include clear commitments regarding the deactivated warheads'. The resolution is available at [www.assemblee.ueo.org/en/documents/sessions\\_ordinaires/txt/2002/709rec.html](http://www.assemblee.ueo.org/en/documents/sessions_ordinaires/txt/2002/709rec.html). According to a European critic of the Moscow Treaty, 'It is a strange argument to appeal to the precedent of previous nuclear arms control treaties, and to say that, because the SALT and START and INF treaties did not call for the destruction of warheads, this one should not call for the destruction of warheads. It's like saying that, because our cars have never had airbags, we should never have airbags in future cars.' Author's interview with a German observer in Berlin, 19 July 2002. The counter-argument is that there is no established way to conduct verified control or destruction of warheads, so this view is like demanding airbags before the technology was developed. The Russians in any event have never appeared willing to pursue such measures in a concrete fashion. The US government has not yet determined the magnitude of the non-deployed stockpile that it will retain. 'However, the analysis that helped determine the size of the operationally deployed force and the decision to pursue non-nuclear capabilities in the New Triad suggests that our responsive capability will not need to be as large as the "hedge" force maintained by the previous Administration.' Douglas J. Feith, Under Secretary of Defense for Policy, 'Prepared statement for the hearing on the Nuclear Posture Review', Senate Armed Services Committee, 14 Feb. 2002, p. 9.

<sup>14</sup> 'We can reduce the number of operationally deployed warheads to this level because, in the NPR, we excluded from our calculation of nuclear requirements for immediate contingencies the previous, long-standing requirements centered on the Soviet Union and, more recently, Russia. This is a dramatic departure from the Cold War approach to nuclear force sizing, which focused first and foremost on sustaining our side of the balance of terror and mutual assured destruction (MAD)... MAD is a strategic relationship appropriate to enemies, to deep-seated hostility, and distrust. Russia is not our enemy, and we look forward to a new strategic framework for our relations.' Feith, 'Prepared statement for the hearing on the Nuclear Posture Review', 14 Feb. 2002, p. 6. Some allied experts have noted that they do not endorse the tendency of US officials to deplore 'mutual assured destruction' strategic postures as an element in US–Russian relations. Among these experts, some point out that it would be difficult to move beyond the continuing situation of US–Russian mutual vulnerability, and they hold that this situation is a source of political and strategic stability. Moreover, they note, US official rejections of mutual vulnerability as a strategic policy do not seem to be reciprocated by the Russians, who have historically not welcomed their own vulnerability and who intend to continue to hold the United States at risk of nuclear attack.

- the treaty obliges Russia to respect the 2,200 ceiling on operationally deployed strategic nuclear warheads only until 31 December 2012, after which Moscow will be at liberty to deploy additional warheads.<sup>15</sup>

Some allied critics contend that the United States might have succeeded in banning MIRVed ICBMs, as was envisaged in START II, but never tried to do so in the Moscow Treaty negotiations. For this reason, among others, they regard the Moscow Treaty as ‘a retrograde step’ in comparison with the START II Treaty. According to Christoph Bluth of the University of Leeds, START II’s ban on MIRVed ICBMs had been considered ‘an important contribution to strategic stability, because it would render a first strike completely impractical’. Bluth has hypothesized that the Bush administration was willing to give up START II and its ban on MIRVed ICBMs to reassure Moscow that US missile defences ‘will not affect Russian strategic capabilities’ vis-à-vis the United States.<sup>16</sup> In other words, Russian ICBMs (and SLBMs) and re-entry vehicles will be able to overwhelm and penetrate US missile defences in the foreseeable future. Russia had ratified START II with conditions, including US adherence to the ABM Treaty and US ratification of the 1997 succession and demarcation agreements concerning the ABM Treaty (agreements which President Clinton never submitted to the US Senate).<sup>17</sup> In other words, the flexibility in the Moscow Treaty can be interpreted as compensating Moscow for accepting the end of the ABM Treaty.<sup>18</sup> In defending the Moscow Treaty, US officials have suggested that Russian MIRVed ICBMs no longer present a threat to strategic stability, in contrast with the concerns expressed from the late 1960s through to the 1990s. In the words of Secretary of State Colin Powell, ‘Since neither the United States nor Russia has any incentive to launch nuclear weapons at each other, we no longer view Russian deployment of MIRVed ICBMs as destabilizing to our strategic relationship.’<sup>19</sup>

US supporters of the Moscow Treaty have argued that it preserves the ‘flexibility’ and ‘adaptability’ called for in the NPR, including the ‘responsive force’ options. Under the Moscow Treaty, the United States will be able to

<sup>15</sup> In the words of a critic, ‘The Moscow Treaty is a rather short-term legal obligation—what we call in German *eine logische Sekunde*—it’s not real, but for logical reasons it has to be there. The obligation only applies to meet the deadline. After the deadline, it’s gone... We need a legally binding treaty with an obligation lasting longer than one second... By reducing uncertainties about Russia, it would enhance our security.’ Author’s interview with a German observer in Berlin, 18 July 2002.

<sup>16</sup> Christoph Bluth, ‘Warming words but chill is still in the air’, *Times Higher Education Supplement*, 31 May 2002, p. 16.

<sup>17</sup> Vladimir Putin, then President-elect of the Russian Federation, speech at the State Duma, 14 April 2000, in *Kommersant*, 15 April 2000, in Foreign Broadcast Information Service, CEP20000417000148.

<sup>18</sup> The Moscow Treaty also reflected other circumstances. Owing to economic constraints, Russian strategic nuclear capabilities would probably decline radically without any formal arms control measures, and Russia might not be able to maintain the treaty-specified ceiling of operationally deployed strategic nuclear warheads in 2012.

<sup>19</sup> Secretary of State Colin Powell, ‘Prepared statement on the US–Russia Treaty on Strategic Offensive Reductions’, Senate Foreign Relations Committee, 9 July 2002, available at [www.state.gov/secretary/rm/2002/11735pf.htm](http://www.state.gov/secretary/rm/2002/11735pf.htm).

reduce its operationally deployed strategic nuclear warheads while retaining its existing force structure and protecting vital conventional capabilities.<sup>20</sup> Furthermore, the Moscow Treaty approach to arms control is seen as a step away from an adversarial Cold War relationship. Allied critics have replied that the goal of flexibility for the US nuclear posture has been pursued at the expense of what might have been an opportunity to gain better transparency and control regarding the Russian nuclear arsenal. Russia (in contrast with the United States) is continuing to manufacture new warheads.<sup>21</sup> Moreover, it is far from clear that Russia is truly on a path towards democratization. Aside from the practical problems of achieving effective transparency and verification in respect of warhead numbers, Russia's willingness to agree to greater transparency and control is in fact doubtful, in view of the years of failure during the Clinton administration to achieve these objectives in the START III consultations with Moscow.

Some allied critics have expressed bewilderment and scepticism at how the US government has apparently combined an emphasis on uncertainty and preparedness to meet unexpected threats with confidence in Russia's future democratization and reliability as a partner in international security. In their view, by failing to seek a more comprehensive and binding treaty, the United States has neglected the risk that Vladimir Putin or a future Russian leader could preside over an economic recovery, pursue more authoritarian and assertive policies within and beyond Russia, and make his country a powerful adversary of the United States and the Atlantic alliance as a whole. How any negotiable treaty could provide protection against such a contingency remains unclear. Russian non-compliance with treaty terms could, however, serve as a warning to the United States and other NATO governments. According to Douglas Feith, the US Under Secretary of Defence for Policy, although 'the NPR's responsive force is not being sized according to the dictates of a possible resurgence in the threat from Russia, the United States cannot 'ignore

<sup>20</sup> According to written responses by the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, '[I]t is imperative to preserve the capability of nuclear-capable bombers to deliver conventional weapons and vice-versa. The 76 B-52H bombers and 21 B-2 bombers that will make up the bomber portion of the NPR force structure must be able to carry out both nuclear and conventional missions.' Senate Foreign Relations Committee, *Treaty on Strategic Offensive Reduction: The Moscow Treaty*, Hearings, 107th Congress, 2nd session (Washington DC: Government Printing Office, 2002), p. 123. US officers had expressed concern in 2000 that START II's counting and attribution rules could hamper US efforts to maintain and improve conventional bomber capabilities. See the testimony of Admiral Richard Mies, USN, then Commander-in-Chief, US Strategic Command, and General Michael Ryan, USAF, then Chief of Staff of the Air Force, at the Hearing of the Senate Armed Services Committee on US Strategic Nuclear Force Requirements, 23 May 2000, Federal News Service transcript, pp. 7, 16.

<sup>21</sup> '[T]he United States and Russia stand on completely different footings with regard to their ability to manufacture new nuclear weapons. Russia has a large infrastructure. They have a warm production base ... They are, in fact, producing new warheads on an ongoing basis in large numbers... [I]t is no big deal for the Russians to destroy a warhead because they can replace it immediately with a new production item. We, on the other hand, have not produced a new warhead in a decade and can't and will not have the ability to produce one for almost another decade.' Douglas Feith, Under Secretary of Defense for Policy, testimony at the Hearing on the Nuclear Posture Review, Senate Armed Services Committee, 14 Feb. 2002, pp. 10 and 27 of transcript by Federal Document Clearing House.

developments in Russia's (or any other nation's) nuclear arsenal'. The NPR provides for 'the ability to restore capabilities we now plan to reduce' to deal with potential changes in international circumstances, including the risk recognized by the Clinton administration—'the possibility that Russia might reverse its course towards democracy'.<sup>22</sup>

### *Continuing concerns about Russian non-strategic nuclear forces*

Some allied observers have expressed regret that the United States has concluded that it is impractical to go beyond the Moscow Treaty to pursue negotiated arms control regarding Russian non-strategic nuclear forces (NSNF), despite the fact that many of these weapons could be employed for 'strategic' purposes. At the same time, allied experts recognize (a) the inherent obstacles to arms control for NSNF and (b) Russia's unwillingness to pursue arms control in this domain.

The inherent obstacles to arms control for NSNF include the baseline or initialization problems (such as determining the numbers and locations of Russian NSNF) and the difficulties of verification and geographical scope. The baseline numbers on the Russian side could not be easily established, at least in the eyes of cautious and responsible officials in alliance governments.<sup>23</sup> The verification difficulties, especially regarding NSNF warheads, raise questions about whether arms control gains could be reliably realized. The problems of defining 'Europe' and hedging against Russian options for covert redeployments could, moreover, argue in favour of global limitations. This would raise issues of scope not only in territorial terms, but also in respect of the participants, which might include China, India and Pakistan as well as the four nuclear powers in Europe (Britain, France, Russia and the United States), as opposed to merely the United States and Russia, or NATO and Russia.<sup>24</sup> In May 2003, the US government restated its judgement that formal arms control measures for non-strategic nuclear weapons (NSNW) are not feasible:

In recent years, the United States has looked at the prospect of formal arms control treaties on NSNW and concluded that such an approach is not possible. The nature of

<sup>22</sup> Feith, 'Prepared statement for the hearing on the Nuclear Posture Review', 14 Feb. 2002, pp. 6, 9.

<sup>23</sup> For a recent survey of the wide variations in allied public estimates of the number of Russian NSNF, see Gunnar Arbman and Charles Thornton, *Russia's tactical nuclear weapons, part i: background and policy issues*, FOI-R-1057-SE (Stockholm: Swedish Defence Research Agency, November 2003), pp. 14–17. This report is available at [www.foi.se](http://www.foi.se) and [www.cissm.umd.edu/thornton.htm](http://www.cissm.umd.edu/thornton.htm).

<sup>24</sup> Some governments (e.g. the French) might decline to participate in an NSNF negotiation on the grounds that they have no such weapons. Since September 1991, all the nuclear-capable means in France's air force (including the ASMP missiles on Mirage 2000Ns previously described as equipped with 'pre-strategic' weapons) have been under the command of the Forces Aériennes Stratégiques. Since the early 1990s the terms 'pre-strategic' and 'final warning' have disappeared from official discourse; and the French have accordingly considered all their nuclear weapons strategic. The British government's focus on the political role of its nuclear arms suggests that it also sees all its nuclear weapons as strategic, especially since the withdrawal in 1998 of the United Kingdom's freefall bomb, the WE177. While the Trident submarine-launched ballistic missile could be employed in a 'sub-strategic' role, London does not regard it as a 'non-strategic' weapon.

these weapons and their delivery systems make it far more difficult to have confidence in treaty implementation than is the case for strategic systems. Delivery systems for NSNF are often dual-use, i.e. for conventional and nuclear roles, which makes it very difficult to have confidence that they have been retired from a nuclear role.<sup>25</sup>

Russia's aversion to pursuing arms control measures that would constrain its NSNF has been evident in Moscow's lack of transparency in the NATO–Russia dialogue and its rejection of the confidence and security-building measures (CSBMs), including those for NSNF, proposed by NATO.<sup>26</sup> Russia's participation in the seminars, information exchanges and other NATO–Russia CSBMs for NSNF has appeared to be simply *pro forma*; and Moscow's unwillingness to provide greater transparency has disappointed allied observers. Whether the readiness to consider greater transparency expressed by some Russian officials in late 2003 will lead to substantial results remains to be seen, although some progress has been reported concerning nuclear safety and accident response measures.

Some allied observers have accepted as well founded the US tendency to discount the political and operational relevance of Russia's large arsenal of NSNF. According to Secretary of State Colin Powell, 'we're concerned ... with them more from the standpoint of we really don't want these nukes loose anywhere, and as a proliferation problem more so than a war-fighting problem; it's almost a disposal problem more so than a war-fighting problem.'<sup>27</sup> Similarly, Secretary of Defence Donald Rumsfeld has said that he 'would be perfectly comfortable' with Russia's superiority in this category of nuclear weapons, owing to the distinct geostrategic circumstances of the two countries:

I don't know that we would ever want to have symmetry [in NSNF] between the United States and Russia ... Their neighborhood is different ... I would be perfectly comfortable having them have a good many more than we have, simply because of the differences in our two circumstances. So I'm not looking for symmetry, but I am looking for greater transparency.<sup>28</sup>

In contrast to Secretary Rumsfeld's view, some allied observers would prefer more than 'greater transparency' about Russian NSNF. Their preference would not necessarily be for US–Russian 'symmetry' in NSNF, but they

<sup>25</sup> Information paper from the United States concerning Article VI of the NPT, provided to the Second Session of the Preparatory Committee for the 2005 NPT Review Conference, Geneva, Switzerland, 1 May 2003, available at <http://www.us-mission.ch/press2003/0501NPTinfopaper.htm>. This statement implies, perhaps inadvertently, that an arms control or disarmament regime for NSNF might focus on dual-use delivery systems; but a greater challenge would reside in verifying data relating to the nuclear warheads.

<sup>26</sup> For background, see David S. Yost, 'Russia's non-strategic nuclear forces', *International Affairs* 77: 3, July 2001, pp. 531–51.

<sup>27</sup> Secretary of State Colin Powell, testimony to the Senate Foreign Relations Committee on 9 July 2002, Federal Document Clearing House transcript available at <http://web.lexis-nexis.com>.

<sup>28</sup> Secretary of Defense Donald H. Rumsfeld, testimony as delivered for the Senate Foreign Relations Committee regarding the Moscow Treaty, 17 July 2002, available at [www.defenselink.mil/speeches/2002/s20020717-secdefl.html](http://www.defenselink.mil/speeches/2002/s20020717-secdefl.html).

would favour drastic reductions in Russian NSNF and some sort of binding verification regime. Some hold that even an unavoidably flawed treaty verification regime might furnish greater knowledge and confidence about the safety and security arrangements for Russian NSNF than the limited information Moscow has to date provided in NATO–Russia exchanges. It is difficult, however, to see how such a regime could provide increased confidence in the absence of effective warhead control. The salience of allied concern about Russian NSNF may grow in an enlarged alliance, given the suspicions about Russian intentions expressed in some of the new member states.

### **The ‘New Triad’**

The ‘New Triad’ under the NPR consists of the following three legs: (a) strike capabilities, nuclear and non-nuclear; (b) defences, active and passive; and (c) a responsive infrastructure. According to Douglas Feith, the Under Secretary of Defence for Policy,

The New Triad ... provides the basis for shifting some of the strategic requirements for dissuading, deterring, and defeating aggression from nuclear forces to non-nuclear strike capabilities, defensive systems, and a responsive infrastructure ... Getting to the New Triad will require us to sustain a smaller strategic nuclear force, reinvigorate our defence infrastructure, and develop new non-nuclear strike, command and control, intelligence, and planning capabilities ... By taking these steps, we will reduce our dependence on nuclear weapons.<sup>29</sup>

While allied observers have expressed reservations about combining nuclear and non-nuclear strike forces in a single notional leg of the New Triad, they have endorsed unprecedented steps in the defensive area, notably with respect to ballistic missile defence. The third leg of the New Triad, the responsive infrastructure, has attracted much less attention in allied circles, except in reference to possible nuclear testing.

### *Combined nuclear and non-nuclear strike forces*

The NPR concept of ‘non-nuclear’ strike forces encompasses not only ‘kinetic’ systems such as missiles with high-explosive munitions, but also ‘non-kinetic’ capabilities such as information operations assets capable of electronic or computer network attacks.<sup>30</sup> US authorities have noted that the combining of

<sup>29</sup> Feith, ‘Prepared statement for the hearing on the Nuclear Posture Review’, 14 Feb. 2002, p. 5. Feith’s testimony and other official sources have received little attention. The main conclusions of the NPR have been so poorly communicated by the US government that journalistic accounts have fostered a widespread and incorrect impression throughout the alliance that it calls for increased reliance on nuclear weapons. Few people seem to have heard that one of the NPR’s central themes is improving non-nuclear capabilities.

<sup>30</sup> According to General William F. Kernan, US Army, then Commander-in-Chief, Joint Forces Command, ‘Non-kinetic technologies are weapons that hinder the enemy, but don’t go boom, such as

nuclear and non-nuclear strike forces in the same leg of the New Triad is intended to promote the substitution of non-nuclear means for nuclear weapons. In the words of Douglas Feith, 'The President's plan ... emphasizes the potential for substituting non-nuclear and defensive capabilities for nuclear capabilities.'<sup>31</sup> Putting nuclear and non-nuclear strike capabilities together in the same leg of the New Triad has nonetheless aroused concern because of an impression that this could increase the likelihood of operational use of nuclear weapons.

Various US policy statements have expressed doubts about the reliability of deterrence and a readiness to engage in pre-emptive action in some circumstances. For example, according to the *National Security Strategy* published in September 2002, 'Traditional concepts of deterrence will not work against a terrorist enemy whose avowed tactics are wanton destruction and the targeting of innocents; whose so-called soldiers seek martyrdom in death and whose most potent protection is statelessness. The overlap between states that sponsor terror and those that pursue WMD compels us to action.'<sup>32</sup>

Some allied observers have gone beyond declared US policy and have inaccurately linked US discussions of pre-emption to the interest in investigating the potential need for (and feasibility of constructing) low-yield and earth-penetrating nuclear weapons and increasing readiness for nuclear testing.<sup>33</sup> The potential new nuclear arms have been portrayed in some circles as part of US preparations for pre-emptive attacks against WMD proliferants and/or 'rogue' states that support terrorism. Most allied observers strongly object to any doctrine conveying the impression that nuclear weapons could be more readily employed. Like Americans, Europeans and Canadians are committed to deterrence doctrines intended to make actual use of nuclear weapons (indeed, of any weapons) increasingly remote. While allied observers understand the decades-old argument that more operationally usable weapons would in fact enhance deterrence by making a threatened nuclear response appear more feasible and hence more credible, many refuse to endorse it. All the allies, including the United States, have regularly reaffirmed the principle that 'The fundamental purpose of the nuclear forces of the Allies is political: to preserve peace and prevent coercion and any kind of war.'<sup>34</sup>

Allied experts accordingly found it somewhat reassuring in June 2002 when Secretary of Defence Rumsfeld reaffirmed the longstanding US recognition

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ones that destroy computer files, disrupt communications or wipe out bank accounts.' Kernan quoted in R. W. Rogers, 'Kernan tasked with transforming military', Newport News, Virginia, *Daily Press*, 5 August 2001, available at [www.jfcom.mil/NewsLink/StoryArchive/2001/n0080501.htm](http://www.jfcom.mil/NewsLink/StoryArchive/2001/n0080501.htm). In other words, the term 'non-kinetic' has been adopted to signify capabilities other than 'kinetic' strike systems that cause physical damage or destruction through violent impact or blast or thermal effects.

<sup>31</sup> Feith, 'Prepared statement for the hearing on the Nuclear Posture Review', 14 Feb. 2002, p. 7.

<sup>32</sup> *The National Security Strategy of the United States of America* (Washington DC: The White House, Sept. 2002), p. 15.

<sup>33</sup> The NPR did not call for new nuclear warhead designs or nuclear testing, but identified shortfalls in US capabilities—e.g. concerning hardened and deeply buried targets. Non-nuclear means, if feasible, will probably have priority in addressing such shortfalls; but there are recognized limits to such means.

<sup>34</sup> North Atlantic Council, *Strategic Concept*, 24 April 1999, para. 62.

that nuclear weapons have a distinct significance separating them from non-nuclear arms:

We have 55 or 57 years since nuclear weapons have been fired in anger and that's an impressive accomplishment on the part of humanity ... I don't know of any other time in history where there has been a significant weapon that has not been used for that long a period and these are not just larger weapons; they are distinctively different weapons and war ... can be unpredictable.<sup>35</sup>

The NATO allies share the predominant US view, within and outside the government, that it is imperative to avoid any operational use of nuclear weapons if allied security interests can be defended without their use.<sup>36</sup> They also agree that it is essential to improve conventional non-nuclear capabilities. The allies endorsed this objective in the Prague summit declaration of November 2002, notably in the Prague capabilities commitment and in the decisions to organize a NATO response force and to devise a more operationally oriented command structure.

### *Missile defence*

The end of the ABM Treaty, with the US withdrawal effective in June 2002, has changed the political and practical context for missile defence in North America and NATO Europe. For years before this point allied observers had expressed various anxieties about this prospect—above all, that US withdrawal from the ABM Treaty would lead to US–Russian confrontation, provoke an ‘arms race’, undermine strategic stability and terminate nuclear arms control. These fears seemed to be proved groundless when (a) the Russians expressed only muted regrets about the end of the ABM Treaty and (b) Russia and the United States signed the Moscow Treaty in May 2002. Indeed, NATO and Russia agreed in May 2002 to pursue enhanced consultations and ‘practical cooperation’ in theatre missile defence.<sup>37</sup> Russia and the United States announced in the same month that they would ‘implement a number of steps aimed at strengthening confidence and increasing transparency’ in missile defence and ‘study possible areas for missile defence cooperation, including the expansion of joint exercises’.<sup>38</sup>

<sup>35</sup> Secretary of Defense Donald H. Rumsfeld, joint press conference with British Secretary of State for Defence Geoffrey Hoon, 5 June 2002, available at [www.defenselink.mil/news/Jun2002/106052000\\_10605sd.html](http://www.defenselink.mil/news/Jun2002/106052000_10605sd.html).

<sup>36</sup> In the words of Linton Brooks, the Administrator of the National Nuclear Security Administration, ‘nobody in this administration has any interest in lowering the nuclear threshold... [I]f military missions can be accomplished by conventional means, then of course that's what you want.’ ‘The Bush administration's views on the future of nuclear weapons: an interview with NNSA Administrator Linton Brooks’, *Arms Control Today*, Jan.–Feb. 2004, p. 5.

<sup>37</sup> See ‘NATO–Russia relations: a new quality’, declaration by heads of state and government of NATO member states and the Russian Federation, Rome, 28 May 2002.

<sup>38</sup> The Joint Declaration on the New Strategic Relationship between the United States and the Russian Federation, 24 May 2002, is available at [www.whitehouse.gov/news/releases/2002/05/20020524-2.html](http://www.whitehouse.gov/news/releases/2002/05/20020524-2.html).

Moreover, the distinction between ‘national missile defence’ (NMD) and ‘theater missile defence’ (TMD) that derived from respect for ABM Treaty limitations on defences against ‘strategic ballistic missiles’ was rendered irrelevant by the end of the ABM Treaty. Well before the NPR was completed, the Bush administration abandoned the terms NMD and TMD in favour of simply ‘missile defence’. In Rumsfeld’s words,

I’ve concluded that ‘national’ and ‘theater’ are words that aren’t useful. What’s ‘national’ depends on where you live, and what’s ‘theater’ depends on where you live... My interest is in seeing if we can’t find ways to develop defences against ballistic missiles where we have interests. And we have interests in NATO, we have interests in the Middle East ... One has to recognize that it’s every bit as important to us to be able to defend this piece of real estate and our population in this location as it is to defend our deployed forces and to have our allies feel equally secure to the extent that’s possible.<sup>39</sup>

According to Lord Robertson, then the Secretary General of NATO, ‘taking the “N” out of “NMD” has changed perceptions on that and encouraged a more rational debate.’<sup>40</sup> Some allied observers interpreted the US abandonment of the NMD/TMD distinction as motivated in part by a desire to address longstanding allied concerns about the ‘decoupling’ that might hypothetically derive from asymmetries in vulnerability caused by US missile defences. In 1985, in a typical formulation of this concern, West German Chancellor Helmut Kohl declared that ‘Europe’s security must not be decoupled from that of the United States. There must be no zones of differing security in the NATO area.’<sup>41</sup> The Bush administration’s emphasis on pursuing missile defence in cooperation with the allies has also created a more positive context.

The ABM Treaty ruled out the deployment of US defences against ‘strategic ballistic missiles’ in Europe or elsewhere, other than the sole site in the United States permitted after the 1974 amendment of the treaty. With the end of the ABM Treaty, the United States is free to work with its allies to construct such defences, with no restrictions on (a) deployments abroad to protect US allies, (b) air-, sea-, space- or mobile land-based defences, or (c) transfers to allies of US missile defence technology. Although the end of the ABM Treaty eliminated the artificial distinction between theatre and strategic missile defences for some purposes, the term ‘theatre missile defence’ is still employed in the alliance to refer to systems for the protection of deployed forces against shorter-range missiles, as opposed to ‘full spectrum’ defences against missiles of all ranges for the safety of national homelands.

In weighing the utility of missile defences, European allied observers have historically tended to focus less on the capabilities of WMD proliferant states

<sup>39</sup> Secretary of Defense Donald Rumsfeld, remarks on 8 March 2001, quoted in Lee Ewing, ‘Why “national” has been dropped from “national missile defense”,’ *Aerospace Daily*, 12 March 2001.

<sup>40</sup> Lord Robertson, quoted *ibid*.

<sup>41</sup> Helmut Kohl, policy statement to the Bundestag on the Strategic Defense Initiative, 18 April 1985, in *Statements and Speeches*, vol. 8, no. 10 (New York: German Information Center, 1985), p. 3.

pursuing long-range missile programmes than on their intentions. Allies have emphasized the possibility of improving relations with proliferant states through economic and diplomatic measures. Allied scepticism about the utility of missile defences for the protection of national homelands has been weakening since the late 1990s, however, for various reasons, including impressive Iranian and North Korean missile tests and the terrorist attacks against the United States on 11 September 2001 and more recently in Spain and elsewhere. The US and alliance deterrence posture was, to be sure, not designed to prevent terrorist attacks. These attacks have nonetheless been viewed as an indicator of (a) the fallibility of deterrence based on threats of retaliation, (b) the willingness of fanatical adversaries to strike civilian targets such as cities and (c) the potential value of missile defence options, if technically feasible, effective and financially affordable.<sup>42</sup> The fact that the United States may be prepared to pay for a disproportionate share of the research and development costs and other expenses may help the allies surmount the cost obstacle. Some allies might offer basing sites for sensors, interceptors or command, control and communications nodes in lieu of funding. In November 2002 the NATO allies decided to

Examine options for addressing the increasing missile threat to Alliance territory, forces and population centres in an effective and efficient way through an appropriate mix of political and defence efforts, along with deterrence. Today we initiated a new NATO Missile Defence feasibility study to examine options for protecting Alliance territory, forces and population centres against the full range of missile threats, which we will continue to assess. Our efforts in this regard will be consistent with the indivisibility of Allied security.<sup>43</sup>

This feasibility study is due to be completed in 2005, which is rapid movement by NATO standards. The study may influence the course of a debate already under way within the alliance about an array of practical issues beyond threat assessment and technical feasibility. These encompass costs and funding mechanisms, arrangements for technology transfers (including transfers from other allies to the United States), command and control, debris liability and consequence management, and relations with Russia and other non-NATO countries, including China. Command and control arrangements will be especially sensitive and difficult to resolve, owing to the short time-lines involved in missile defence and the prospect that the United States may dominate the early warning and surveillance systems as well as the interception capabilities. Allies may be reluctant to delegate decision-making to NATO political authorities or military commanders unless this is an operational

<sup>42</sup> Terrorists are unlikely to conduct attacks with long-range missiles, which would be difficult to obtain and operate without state sponsorship or collusion. For states, however, missiles offer a certain prestige as well as a prompt strike capability that is difficult to counter.

<sup>43</sup> Prague summit declaration, issued by the heads of state and government participating in the meeting of the North Atlantic Council in Prague on 21 Nov. 2002, para. 4g.

necessity supported by thorough and reliable means of consultation and representation. Decision-making concerns may inevitably lead back to cost considerations. As Nick Witney, then Director General of International Security Policy in the British Ministry of Defence, pointed out in 2003, 'If Europeans want a voice in command-and-control arrangements, as I believe they inevitably will, then they may need to think harder about what it is that they are ready to contribute to the enterprise.'<sup>44</sup>

### *Responsive infrastructure and integration of the New Triad*

Few allied observers have commented on the 'responsive infrastructure' leg of the New Triad. Some have interpreted defining the New Triad in this fashion as an attempt by the US government to reverse the longstanding neglect of the nation's nuclear infrastructure. The aspect of the 'responsive infrastructure' that seems to have raised most apprehension in NATO concerns the plan to improve nuclear testing preparations, so that tests could be conducted more promptly in the event of a decision to resume testing.<sup>45</sup> This apprehension involves several anxieties, including the possible development of new nuclear warhead designs and the potential consequences of a collapse of the current informal moratorium on nuclear testing. France, Russia and the UK have ratified the Comprehensive Test Ban Treaty (CTBT), unlike China, the United States and other (non-NPT-recognized) nuclear weapons powers. Allied observers have expressed regret and consternation at the lack of support for CTBT ratification in the Bush administration and the US Senate. The allies consider the CTBT a key arms control and disarmament measure, and see any steps that might undermine it or the test moratorium as inconsistent with NPT commitments.<sup>46</sup> Some allied observers fear that a US decision to resume testing could provide a pretext for other established nuclear weapons states and nuclear proliferants to test. The argument is that US testing could thus lead to the development of more sophisticated nuclear arms in various national arsenals and further nuclear proliferation. Allied experts acknowledge, however, that the CTBT does not constitute an effective bar to nuclear proliferation in that crude but workable nuclear weapons can be designed and built without testing.

Allied observers have expressed these concerns vigorously, even though current US policy calls for continuing the test moratorium in place since 1992. According to Spencer Abraham, the US Secretary of Energy, 'We are not

<sup>44</sup> Nick Witney, 'Shifting international perspectives on missile defence', *RUSI Journal* 148, Dec. 2003, p. 39.

<sup>45</sup> The goal is to improve the 'readiness posture from the current ability to test within 24 to 36 months to an ability to test within approximately 18 months'. The improved readiness posture may be achieved by September 2005. Testimony of Ambassador Linton Brooks, Administrator, National Nuclear Security Administration, Department of Energy, before the Subcommittee on Strategic Forces, House Armed Services Committee, 18 March 2004.

<sup>46</sup> Allied observers have pointed out that 'the early entry into force' of the CTBT is the first of the 13 'practical steps' approved at the 2000 NPT review conference to implement Article VI of the NPT. See *Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*, NPT/CONF.2000/28 (Parts I and II), p. 14.

planning to resume testing; nor are we improving test readiness in order to develop new nuclear weapons. In fact, we are not planning to develop any new nuclear weapons at all.<sup>47</sup> Enhanced test readiness, as part of the responsive infrastructure, constitutes a hedge against possible requirements to test in order to remedy safety and reliability problems in existing weapons or to develop new warhead designs, if necessary. No new nuclear warhead 'physics package' design would be involved in the Robust Nuclear Earth Penetrator (RNEP), the widely criticized possible 'bunker buster', if it were approved for development. The RNEP study concerns whether 'two existing warheads in the stockpile—the B61 and the B83—can be sufficiently hardened through case modifications and other work to allow the weapons to survive penetration into various geologies before detonating'.<sup>48</sup> The technical feasibility of the RNEP and other new weapons concepts has yet to be demonstrated, and they 'would only be pursued for future development if directed to do so by the President and the Congress'.<sup>49</sup>

The integration of the New Triad under the authority of the US Strategic Command (STRATCOM) has attracted little attention in NATO. However, a few observers have expressed concern that the centralized control of America's global-reach offensive and defensive capabilities could magnify US power in ways that might stimulate new 'arms races' or incite some adversaries to devise new forms of asymmetrical warfare. Other allied observers maintain that the integration of improved non-nuclear strike forces and defensive capabilities may enhance deterrence, because they have 'a higher credibility of use' than nuclear weapons; and the NPR calls for reducing US reliance on nuclear threats by increasing and improving the non-nuclear and defensive options available to decision-makers.<sup>50</sup> Some allied observers have nonetheless perceived integration of nuclear and non-nuclear strike options under the same command as creating a risk that the line separating nuclear from other weapons might be blurred.

Some allied observers have also expressed anxiety that STRATCOM's new responsibilities in missile defence and 'global strike' offensive operations could lead to the deployment of weapons in space. The parties to the 1967 Outer Space Treaty have agreed 'not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner'.<sup>51</sup> However, the weapons that the United States might hypothetically place in orbit or elsewhere in space would not rely on nuclear or

<sup>47</sup> Spencer Abraham, 'Facing a new nuclear reality', *Washington Post*, 21 July 2003.

<sup>48</sup> Statement of Linton Brooks, Acting Under Secretary of Energy and Administrator, National Nuclear Security Administration, Department of Energy, before the Subcommittee on Strategic Forces, Senate Armed Services Committee, 8 April 2003, p. 7.

<sup>49</sup> Testimony of Ambassador Linton Brooks before the Subcommittee on Strategic Forces, House Armed Services Committee, 18 March 2004.

<sup>50</sup> Author's interview with a German observer in Brussels, 24 June 2003.

<sup>51</sup> Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, 27 January 1967, Article IV.

other WMD mechanisms, but would probably involve hit-to-kill strike capabilities, non-nuclear explosives, directed energy or electronic attack mechanisms. Since the ABM Treaty's prohibition of space-based weapons no longer applies, non-nuclear space-based weapons could in principle be applied to missile defence purposes—attacking missiles in flight or before they could be launched—or other purposes, such as defending or attacking satellites or terrestrial targets. The STRATCOM Commander, Admiral James O. Ellis, Jr., USN, has noted that 'advanced conventional weapons initiatives such as ... the Common Aerospace Vehicle will play a large part in improving our effectiveness in the global strike arena.'<sup>52</sup> The Common Aerospace Vehicle would be a manoeuvrable re-entry vehicle placed on a missile or put into orbit and armed with munitions to provide 'prompt global strike' capabilities against any target on earth.<sup>53</sup>

Allied observers have expressed foreboding that US development of space-based weapons could lead to an accelerated competition in such capabilities that could jeopardize strategic stability and/or (as with other new capabilities) stimulate adversaries to devise asymmetrical responses. Some have expressed support for the longstanding Canadian goal of complementing the 1967 Outer Space Treaty with a Convention for the Non-Weaponization of Outer Space and for the efforts at the Conference on Disarmament in Geneva in the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space.<sup>54</sup> The United States supports the Outer Space Treaty (of which it is a depositary government) and holds that there is no need for additional treaties restricting the military use of space.

## **New concepts**

Allies have reacted to the new US strategic concepts that have become associated with the NPR in three ways.<sup>55</sup> First, some concepts have been relatively uncontroversial because they in fact represent continuity. For example, the idea of deterrence by threat of punishment remains widely accepted. However, as noted above, some allied observers have expressed concern about the US decision to place nuclear and conventional strike forces in the same corner of the New Triad triangle both conceptually and, via STRATCOM, organizationally. In this context, some observers have profound reservations about what they inaccurately term a 'conventionalization' of nuclear weapons.

<sup>52</sup> Statement of Admiral James O. Ellis, Jr, USN, Commander, United States Strategic Command, before the Senate Armed Services Committee on Command Posture, 8 April 2003, p. 17.

<sup>53</sup> For a recent discussion of the Common Aerospace Vehicle and related projects, see John Tirpak, 'In search of spaceplanes', *Air Force Magazine*, Dec. 2003, available at [www.afa.org/magazine/dec2003/1203spaceplane.html](http://www.afa.org/magazine/dec2003/1203spaceplane.html).

<sup>54</sup> For background, see 'The non-weaponization of outer space', a Dec. 2003 report by the Canadian Department of Foreign Affairs and International Trade, available at [www.dfait-maeci.gc.ca/arms/outer3-en.asp](http://www.dfait-maeci.gc.ca/arms/outer3-en.asp).

<sup>55</sup> See also David S. Yost, 'Debating security strategies', *NATO Review*, Winter 2003, available at <http://www.nato.int/docu/review/2003/issue4/english/art4.html>.

Second, allied observers have reacted to some of the new US concepts with scepticism, arguing that they are speculative and yet to be proven, or that their validity is hard to prove. These include the theory of dissuading potential adversaries from entering an arms competition by developing specific types of superior military capabilities, and the idea of deterring enemies from attacking through missile defences and other capabilities intended to deny operational success. While some allied observers acknowledge that nuclear deterrence may be less reliable than some of its proponents argued in the past, scepticism persists about concepts of deterrence by denial that rely on missile defences achieving high levels of effectiveness in the foreseeable future.

Third, some of the new US ideas have been highly controversial. The most controversial of the new US concepts in NATO circles has no doubt been that of pre-emptive action, particularly as articulated in the *National Security Strategy*.

The United States has long maintained the option of preemptive actions to counter a sufficient threat to our national security. The greater the threat, the greater is the risk of inaction—and the more compelling the case for taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack. To forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act preemptively.<sup>56</sup>

This principle is controversial partly on definitional grounds. The US government has chosen to call 'pre-emptive' what many Americans, Europeans and others would call 'preventive' war. Many observers would make the following distinction: *pre-emptive attack* consists of prompt action on the basis of evidence that an enemy is about to strike; in contrast, *preventive war* involves military operations undertaken to avert a plausible but hypothetical future risk, such as an unacceptable imbalance of power, a position of increased vulnerability or even potential subjugation—or the possibility of a transfer of WMD to a terrorist group. The last risk was one of the main justifications advanced by the US government for the military intervention in Iraq in March and April 2003.

On the whole, the allies do not rule out the idea of pre-emption on the basis of evidence that an enemy is about to attack. In fact, that principle appears explicitly in a recent and authoritative expression of French security policy, the military programme law for 2003–8:

Outside our frontiers, in the framework of prevention and power-projection, we must therefore be able to identify and guard against threats as soon as possible. *In this framework, the possibility of a pre-emptive action could be considered, as soon as a situation of explicit and known threat was recognized.* This determination and the improvement of capabilities for long-range strikes should constitute a deterrent threat for our potential aggressors, all the more so because transnational terrorist networks are being organized

<sup>56</sup> *National Security Strategy*, p. 15.

and prepared for action most often outside our territory, in zones not controlled by states, or even with the support of enemy states.<sup>57</sup>

Allied (and American) critics of US policy argued that there was no evidence that Saddam Hussein was about to attack the United States or to transfer WMD to terrorists, so this was not a pre-emptive war but a preventive war—a war waged on the basis of a hypothetical future threat. Furthermore, some European observers argued that the US approach amounted to a prescription for permanent war against all WMD proliferants and terrorists, unless the United States could somehow dominate the entire world.<sup>58</sup>

Allied commentary that has wrongly associated the NPR with pre-emption derives from the prominence accorded to that concept in discussions of the US *National Security Strategy* published in September 2002. The strategic concepts that in fact contributed to the December 2001 NPR were those articulated in the Quadrennial Defense Review of September 2001—particularly the concepts of assurance, dissuasion, deterrence by denial and capabilities-based planning.

According to the QDR, one of the means by which the United States can provide assurance is ‘to help allies and friends create favorable balances of military power in critical areas of the world to deter aggression or coercion’.<sup>59</sup> As some allied observers have noted, the QDR notion of ‘favorable balances of military power in critical areas of the world to deter aggression or coercion’ has evidently been disregarded in the nuclear domain in the Euro-Atlantic region, in that (a) the May 2002 Moscow Treaty calls for approximate US–Russian parity in operationally deployed strategic nuclear warheads, and (b) the United States has repeatedly acknowledged that as far as non-strategic nuclear weapons are concerned, in the words of Donald Rumsfeld, ‘The Russians unquestionably have many multiples of what we have, I mean thousands and thousands.’<sup>60</sup> The US policy regarding Russian non-strategic nuclear forces suggests that the NPR’s ‘second-to-none’ principle for assurance applies only to operationally deployed strategic nuclear forces.<sup>61</sup> The key elements of assurance in NATO appear to encompass the longstanding reputation of the United States for resolve in honouring commitments and prudence in the use of force and

<sup>57</sup> Loi no. 2003–73 du 27 janvier 2003 relative à la programmation militaire pour les années 2003 à 2008, section 2.3.1., ‘Les fonctions stratégiques’, available at [www.legifrance.gouv.fr](http://www.legifrance.gouv.fr); emphasis added.

<sup>58</sup> Pierre Hassner, ‘Definitions, doctrines and divergences’, *The National Interest*, no. 69, Fall 2002, p. 32.

<sup>59</sup> *Quadrennial Defense Review Report* (Washington DC: US Department of Defense, 30 Sept. 2001), p. 11.

<sup>60</sup> Secretary of Defense Donald H. Rumsfeld, testimony as delivered for the Senate Foreign Relations Committee regarding the Moscow Treaty, 17 July 2002, available at [www.defenselink.mil/speeches/2002/s20020717-secdefl.html](http://www.defenselink.mil/speeches/2002/s20020717-secdefl.html).

<sup>61</sup> According to one of the slides released by the Department of Defense in January 2002, the QDR goal to ‘assure allies and friends’ will be met by the US nuclear forces envisaged in the Nuclear Posture Review because a ‘second-to-none nuclear capability assures allies and [the] public’. See the slide entitled ‘QDR: defense policy goals’. These slides, entitled ‘Findings of the Nuclear Posture Review’, are publicly available at <http://www.defenselink.mil/news/Jan2002/go20109-D-6570C.html>. In written responses for the record, the Secretary of Defense and Chairman of the Joint Chiefs of Staff also referred to ‘an assurance-related requirement for US nuclear forces that they be judged second to none’. Senate Foreign Relations Committee, *Treaty on Strategic Offensive Reduction: The Moscow Treaty*, Hearings, 107th Congress, 2nd session, p. 117.

conduct of diplomacy, the US military and nuclear presence in Europe and elsewhere, allied roles in the alliance's military and nuclear posture, and consultation arrangements that promote mutual trust and confidence.

The purpose of dissuasion is to convince potential adversaries that it would be pointless to compete in the acquisition of certain military capabilities. According to the QDR, 'Well targeted strategy and policy can ... dissuade other countries from initiating future military competitions.'<sup>62</sup> Secretary of Defense Rumsfeld described the logic of the concept by giving an example: '[W]e must develop new assets, the mere possession of which discourages adversaries from competing. For example, deployment of effective missile defenses may dissuade others from spending to obtain ballistic missiles, because missiles will not provide them what they want: the power to hold US and allied cities hostage to nuclear blackmail.'<sup>63</sup>

The example put forward by Secretary Rumsfeld carries the clear implication that the NATO allies have a role in dissuasion. By this logic, the allied role in dissuading potential adversaries from seeking ballistic missiles will grow to the extent that allies and the alliance as a whole develop and deploy missile defences and other capabilities. Allied observers who have commented on the American theory of dissuasion have generally expressed scepticism, however. The usual comment is that, even if the United States or NATO dissuades adversaries from pursuing one type of military capability, determined adversaries will pursue other options, including terrorism and asymmetrical warfare; and the alliance must be as well prepared as possible to deal with this threat. This argument does not, however, effectively engage with the theory of dissuasion. It acknowledges that one might be able to dissuade an adversary from pursuing one type of military capability, but portrays the obvious option of the adversary to employ other tactics and capabilities as a defeat for the theory, even though the theory does not claim that anyone could persuade all adversaries to abandon all forms of military competition. The US administration has, moreover, been preoccupied with asymmetrical threats as well, as the extensive discussions in the United States indicate.

With regard to Rumsfeld's specific example, critics have asked: to what extent will US or NATO missile defences discourage missile-builders and missile-buyers who are interested in being able to launch missiles against non-NATO countries? If the immediate targets of their missiles are regional antagonists outside NATO territory, the strike capability that could be redirected on command against NATO is a bonus. By this logic, missile defences are of more use to NATO in respect of their capacity actually to defend against missile attacks than in their potential effect on missile acquisition decisions. The US government is, however, interested in operational effectiveness as well as in trying to achieve dissuasion. Indeed, achieving dissuasion depends on attaining such practical effectiveness. Even if the capabilities fail to prevent military

<sup>62</sup> *Quadrennial Defense Review Report*, p. 12.

<sup>63</sup> Donald H. Rumsfeld, 'Transforming the military', *Foreign Affairs* 81, May-June 2002, p. 27.

competition, US strategy documents suggest, they may complicate the adversary's planning and shape the competition in directions advantageous to the alliance.

Critics have raised further objections. If the purpose of dissuasion is to persuade potential adversaries not to compete in the accumulation of specific military capabilities, could this not be achieved by methods other than—or in addition to—publicizing US and allied military superiority? As various US and allied observers have pointed out, other activities could contribute to the aim of discouraging arms competitions, and these activities generally involve cooperation with allies and other security partners:

- shaping the security environment by upholding export controls, legal norms and non-proliferation regimes may help to prevent arms competitions;
- cultivating positive political relations may lessen the likelihood of a motive arising for military competition with the United States or NATO;
- promoting regional political stabilization and security may reduce motives for competition with neighbours; and
- nation-building and state-building, notably to support democratization (including civilian control of the military) and free-marketization, may also lower the likelihood of military competitions.

The United States has been engaged in all of these activities, which have been pursued mainly for reasons other than dissuasion. While such cooperative activities have not been highlighted in some US strategy documents, they figure significantly in the *National Security Strategy*. Moreover, the United States is increasingly disposed to accept an expanded definition of how to achieve dissuasion. The clearest signs of this include the interest in nation-building and state-building in Afghanistan and Iraq.

US strategists have for years advocated supplementing the Cold War's dominant form of deterrence—deterrence by threat of punishment—with deterrence by denial. Deterrence by denial means persuading the enemy not to attack by convincing him that his attack will be defeated—that is, that he will not be able to achieve his operational objectives. In other words, if the missile defences do not discourage an enemy from acquiring missiles (the goal of dissuasion), they might discourage him from using them (the goal of deterrence by denial). The 2001 QDR explicitly employed the phrase 'deterrence by denial' in its discussion of missile defences: 'Integrating missile defenses with other defensive as well as offensive means will safeguard the Nation's freedom of action, enhance deterrence by denial, and mitigate the effects of attack if deterrence fails.'<sup>64</sup> However, some of the experts and officials in NATO countries who have endorsed the pursuit of BMD for the protection of populations and territories have done so on grounds other than confidence in the theory of deterrence by denial. Like many Americans, they have taken a

<sup>64</sup> *Quadrennial Defense Review Report*, p. 42.

more operational perspective: that is, defences could actually defend, and they could thereby make effective intervention against WMD proliferants armed with ballistic missiles operationally safer and politically less risky.<sup>65</sup> Some European experts have expressed understanding and support for the idea of complementing deterrence by threat of punishment with deterrence based on limited missile defences that would 'add an element of uncertainty' for WMD-armed regional powers.<sup>66</sup>

The deterrence by denial theory is not limited to missile defences, of course. The theory applies to any capability that can deny an enemy success in achieving his objectives. For example, passive defences such as decontamination equipment and suits and gas masks for protection against chemical and biological weapons might help to persuade an enemy not to use such weapons. European experts have often expressed doubts as to the effectiveness of the 'deterrence by denial' approach and deem it less reliable than deterrence by threat of punishment. However, allied observers generally endorse the US view that deterrence by denial capabilities could in principle complement deterrence by threat of punishment.

Finally, the Bush administration has argued for 'capabilities-based' planning in addition to a 'threat-based' approach. As Rumsfeld noted in June 2001 with reference to the QDR, 'Because of the uncertainty about the future strategic environment, this strategy would combine both "threat-based" and "capabilities-based" planning, using a "threat-based" planning to address near-term threats, while turning increasingly to a "capabilities-based" approach to make certain we develop forces prepared for the longer-term threats that are less easily understood.'<sup>67</sup> Capabilities-based planning appears to be inspired by genuine uncertainty about the future security environment, though it might also reflect a reluctance to identify certain potential adversaries openly out of concern for the political consequences.

In 1991, at the end of the Cold War, a decade before the QDR and the NPR popularized the phrase 'capabilities-based', NATO's nuclear policy departed from a threat-based approach and appeared to move towards a capabilities-based approach. It was at that time, owing mainly to President George H. W. Bush's initiatives, that the US nuclear presence in Europe was drastically reduced.<sup>68</sup> An element of the capabilities-based approach was announced in the 1999 Strategic Concept: 'NATO's nuclear forces no longer target any country.'<sup>69</sup>

<sup>65</sup> Michael Rühle, 'Wege von Krieg und Frieden: Auch das neue Raketenabwehrprojekt ist ein Kind der strategischen Kultur Amerikas', *Frankfurter Allgemeine Zeitung*, 28 March 2001.

<sup>66</sup> Thérèse Delpach, 'Le deuxième âge nucléaire?', *Le Figaro*, 8 June 2001, p. 15.

<sup>67</sup> Donald Rumsfeld, Secretary of Defense, testimony at the Hearing of the Senate Armed Services Committee, 21 June 2001.

<sup>68</sup> NATO's Nuclear Planning Group had prepared the ground politically and conceptually for this decision in its deliberations since 1989, as can be inferred from its communiqués, which underscored the importance of retaining air-delivered weapons.

<sup>69</sup> North Atlantic Council, Strategic Concept, 24 April 1999, para. 64. This paragraph concerns NATO's sub-strategic nuclear forces. The 'Allies concerned' formula at the beginning of the paragraph indicates that it does not involve France, which does not consider any of its nuclear forces to be 'sub-strategic'.

<sup>70</sup> For a thoughtful analysis, see Michael Rühle, 'America and Europe in the second nuclear age', *AICGS Advisor*, 19 Feb. 2004, available from the American Institute for Contemporary German Studies at [www.aicgs.org/c/ruhlec.shtml](http://www.aicgs.org/c/ruhlec.shtml).

## **Conclusion**

America's NATO allies have but a secondary role in NPR implementation if that is defined solely in terms of US strategic nuclear forces, which are based at sea or in the United States. However, as noted above, the NPR also involves advanced non-nuclear capabilities and improved defences, notably against missile attacks, as well as concepts such as dissuasion and deterrence by denial. The full scope of the NPR makes clear the prospectively significant role of the allies, if they choose to participate in implementing key initiatives that fall within the same broad strategic framework. For example, if the allies decided to construct a missile defence architecture capable of protecting the territories and populations of all the allies in North America and Europe (the subject of a feasibility study called for at the Prague summit in November 2002), this would require far-reaching allied cooperation and contributions. Similarly, the establishment of a more flexible and promptly responsive military posture, with enhanced non-nuclear capabilities, as foreseen in the Prague capabilities commitment and the NATO response force, can only be achieved through multinational allied efforts. These Prague summit initiatives were, to be sure, not driven by the NPR. Like the NPR, these initiatives are responses to the changing security environment, including WMD proliferation and terrorism.

The successful pursuit of these constructive initiatives will not be possible without improved understanding of national policies among the NATO allies. Partly because US public information efforts concerning the NPR have been inadequate and ineffective, allied criticisms have often been aimed not at the NPR and related US policies but at inaccurate accounts of them. Some of the criticisms have made the NPR a platform for the vigorous relaunch of long-running debates about deterrence, non-proliferation and other fundamental issues. These debates have often been less than optimally fruitful, owing in part to mistaken impressions about the content of the NPR, but also to differing assessments of the urgency of adopting new strategic approaches and of the utility of certain arms control measures in dealing with new forms of terrorism and WMD proliferation.<sup>70</sup>

The interdependence and shared interests of the NATO allies have helped to sustain the alliance through many post-Cold War disputes, and the NPR offers examples of that mutual dependence as well as discord. This discord has been expressed within an alliance that continues to serve as a privileged forum for dialogue and consultation among democratic nations with common security interests. Moving beyond current disagreements will not be easy, but it is a shared imperative.

